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Attest: *Lyle W. Cayce*  
Clerk, U.S. Court of Appeals, Fifth Circuit

# United States Court of Appeals for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

June 2, 2023

Lyle W. Cayce  
Clerk

No. 21-11180

ALLYSON RASKIN, *on behalf of her minor children JD1 and JD2,*

*Plaintiff—Appellant,*

*versus*

DALLAS INDEPENDENT SCHOOL DISTRICT; DALLAS  
INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES;  
MICHAEL HINOJOSA, *Superintendent of the Dallas Independent School  
District in his individual capacity and in his official capacity as Superintendent  
of the Dallas Independent School District;* BEN MACKEY, *President;*  
EDWIN FLORES, *1st Vice President;* MAXIE JOHNSON, *2nd Vice  
President;* JOE CARREON, *Board Secretary;* DUSTIN MARSHALL; DAN  
MICCICHE; KARLA GARCIA; JOYCE FOREMAN; JUSTIN HENRY,  
*all in their Individual Capacities and in their Capacities as Members of the  
Dallas Independent School District Board of Trustees,*

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:21-CV-2429

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Before HIGGINBOTHAM, HIGGINSON, and OLDHAM, *Circuit Judges.*

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the District Court's dismissal of the GINA claims is VACATED and REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that each party bear its own costs on appeal.

ANDREW S. OLDHAM, *Circuit Judge*, dissenting in part and concurring in the judgment.

***United States Court of Appeals***  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

**LYLE W. CAYCE**  
**CLERK**

**TEL. 504-310-7700**  
**600 S. MAESTRI PLACE,**  
**Suite 115**  
**NEW ORLEANS, LA 70130**

November 07, 2023

Ms. Karen S. Mitchell  
Northern District of Texas, Dallas  
United States District Court  
1100 Commerce Street  
Earle Cabell Federal Building  
Room 1452  
Dallas, TX 75242

No. 21-11180      Raskin v. Dallas Indep Sch Dist  
USDC No. 3:21-CV-2429

Dear Ms. Mitchell,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk

*Renee McDonough*

By:

Renee S. McDonough, Deputy Clerk  
504-310-7673

cc:

Mr. Matthew Phillip Erickson  
Mr. David J. Hacker  
Ms. Kathryn Elizabeth Long  
Mr. Carlos G. Lopez  
Mr. Jeffrey Carl Mateer  
Mrs. Allyson Raskin  
Mr. Kenneth Adam Rothey  
Mr. Hiram Stanley Sasser III  
Mr. Kelly J. Shackelford  
Mr. Cody Wayne Stafford  
Mr. Aaron Michael Streett